

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

U.S. Pharmaceutical Corp.,)	
)	
Petitioner,)	
)	
v.)	Cancellation No. 40,300
)	Registration No. 2,033,253
U.S. Pharmaceuticals, Inc.,)	Mark: U.S. PHARMACEUTICALS
)	
Respondent.)	



08-19-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #61

JOINT CONSENT ORDER EXTENDING DEADLINES

The parties, through their respective counsel, agreed to extend the discovery and testimony periods and all subsequent deadlines for an additional sixty (60) days. The parties are pursuing settlement, and request this additional time to continue with settlement negotiations. Thus, the parties desire to reset the close of the discovery and testimony periods as well as all subsequent deadlines. Counsel for Respondent, Alex Buttermann, agreed to the foregoing during a telephone conversation with counsel for Petitioner, Christine Cason, on August 13, 2002. Accordingly, the deadlines shall be reset as follows:

Discovery period to close:	November 16, 2002
30-day testimony period for party in position of plaintiff to close:	February 14, 2003
30-day testimony period for party in position of defendant to close:	April 15, 2003

15-day rebuttal testimony period for plaintiff
to close:

May 30, 2003

Dated: August 13, 2002.

Respectfully submitted,

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Christine M. Cason
Theodore H. Davis, Jr.
Christine M. Cason

Attorneys for Petitioner
U.S. Pharmaceutical Corporation

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, TTAB NO FEE 2900 Crystal Drive, Arlington, Virginia 22202 on August 13, 2002.

Christine M. Cason
Christine M. Cason
Date: August 13, 2002

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_____)	

CERTIFICATE OF SERVICE

This is to certify that JOINT CONSENT ORDER EXTENDING DEADLINES has been served on counsel for Respondent by depositing a copy thereof by first class mail, postage prepaid, and addressed as follows:

Ira C. Edell
Alexander H. Buttermann
EPSTEIN EDELL SHAPIRO FINNAN & LYTLE, LLC
1901 Research Boulevard
Suite 400
Rockville, Maryland 20850-3164

This 13th day of August, 2002.

Christine M. Cason
Christine M. Cason



Attorneys at Law

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U.S. Patent & TMO/TM Mail Rcpt Dt. #61

August 13, 2002

direct dial 404 815 6158
direct fax 404 541 3148
CCason@KilpatrickStockton.com

VIA FIRST CLASS MAIL

Assistant Commissioner of Patents
and Trademarks
BOX TTAB NO FEE
2900 Crystal Drive
Arlington, VA 22202

Re: *U.S. Pharmaceutical Corp. v. U.S. Pharmaceuticals, Inc.*
Cancellation No. 40,300
Mark: U.S. PHARMACEUTICALS (Reg. No. 2,033,253)
Our Ref.: 39073.269379

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TRADemark TRIAL AND
APPEAL BOARD

Dear Sir or Madam:

Enclosed is an original and two copies of the Joint Consent Order Extending Deadlines for the referenced matter.

Please return the enclosed self-addressed, stamped postcard to confirm your receipt of these materials.

Best regards.

Sincerely,

Christine M. Cason

CMC:mps

Enclosures

cc: Peter J. Krebs, Esq. (w/encls.)
Theodore H. Davis, Jr., Esq. (w/encls.)